

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ALAN THOMAS,

Plaintiff,

vs.

No. 05-CV-638  
(FJS/DRH)

ANTHONY J. ANNUCCI, General Counsel;  
A. BABCOCK, S.C.C.; R. STILES, S.C.C.;  
MR. KNAPP, C.C.; THERESA KNAPP-DAVID,  
DIR. of Classification; RICHARD ROY,  
Inspector General, Dept of Corrections;  
JUSTINE TAYLOR, Superintendent; SARA  
CAMPBELL, S.U. Teacher; and MS. MCINTOSH,  
C.C.,

Defendants.

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APPEARANCES:

ALAN THOMAS  
Plaintiff, *pro se*  
04-R-2782  
Cayuga Correctional Facility  
Post Office Box 1186  
Moravia, New York 13118

OF COUNSEL:

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
Attorney for Defendants  
Department of Law  
The Capitol  
Albany, New York 12224-0341

DAVID L. FRUCHTER, ESQ.  
Asst. Attorney General

**FREDERICK J. SCULLIN, JR., S.J.**

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**DECISION & ORDER**

Presently before the Court is Magistrate Judge David R.

Homer's July 29, 2008 Report-Recommendation in which he recommends that defendants' motion for judgment on the pleadings be granted as to all claims and all defendants. Magistrate Judge Homer's Report-Recommendation was mailed to plaintiff's last known address, but was returned to the Clerk's Office marked, "Return to Sender." Under Local Rule 41.2(b), failure to notify the Court of a change of address as required by Local Rule 10.1(b) may result in dismissal of the action. Therefore, in light of Plaintiff's failure to notify the Court of his change of address, the Court hereby

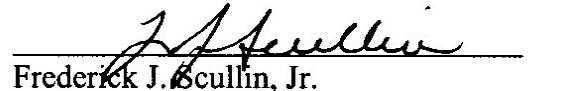
**ORDERS** that the Report-Recommendation filed by Magistrate Judge David R. Homer on July 29, 2008 is **ACCEPTED** in its entirety for the reasons stated therein, and the Court further

**ORDERS** that defendants' motion for judgment on the pleadings is **GRANTED** as to all claims and all defendants, and the court further

**ORDERS** that the Clerk of the Court is to enter judgment in favor of defendants and close this case.

**IT IS SO ORDERED.**

Dated: August 19, 2008  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge

